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DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-12 are pending.

The prior art submitted on 6/21/06, and 2/17/09 have been considered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1, is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, line 2 “first area”; line 3, “destination”; line 4, “second area”, it is unclear as to which area in the applicant’s invention refers as “first area”, “destination”, and “second area”.

Also, line 7, “route leading to the second area”; line 17, “route leading to the destination”, it is unclear as to what route leading to the second area, and what route leading to the destination.

Also, what different between first area, second area, and destination.

Claim Rejections - 35 USC § 101

3. Claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. “A computer program” not claimed as embodied in computer-readable media are not statutory. See e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760.

Correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, and 10-12, are rejected under 35 U.S.C.103(a) as being unpatentable over Akashi (6810327) in view of JP 2000-193479 (refers as '479).

As per claims 1, and 10-12, Akashi discloses a navigation device, and a computer program comprising: an area input section for a user to input a name of a first area which neighbors a destination of the user (see column 1, lines 46-56; and columns 4-5, lines 53-2); an area specifying section for specifying, by using map data, a second area, which is selected from among the first area whose name is inputted in the area input section, and used for a route search (see columns 1-2, lines 57-10); a route searching section for searching for a route leading to the second area specified in the area specifying section (see the abstract; and column 2, lines 11-46); a first guidance section for providing the user with guidance in accordance with the route found by the route searching section, so as to guide the user to the second area specified in the area specifying section (see columns 3-4, lines 27-31). Akashi does not disclose specifying the destination by exchanging a dialogue with the user. However, ('479) discloses a destination specifying section for specifying the destination by exchanging a dialogue with the user after the first guidance section starts providing the user with the guidance (see [0011-0012]); a route selecting section for selecting a route leading to the destination specified in the destination specifying section; and a second guidance section for providing the user with guidance in

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accordance with the route selected by the route selecting section, so as to guide the user to the destination specified by the destination specifying section (see [0014-0015]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Akashi by combining specifying the destination by exchanging a dialogue with the user for providing route guidance to the user.

As per claim 2, ('479) discloses a question output section for generating and outputting a question to which the user responds by selecting only one of two options offered by the question; and a response input section for the user to input therein a response corresponding to the question outputted by the question output section (see [0013]); and the destination specifying section specifies the destination in accordance with the response inputted by the user in the response input section (see [0011-0012]).

As per claim 3, Akashi discloses the question output section outputs to the user the question which is generated by the question output section preferably when a traveling speed of the user is below a predetermined value (see columns 9-10, lines 58-22).

As per claim 4, Akashi does not disclose question output and response input. However, ('479) discloses the question outputted by the question output section, and the response inputted into the response input section are in audio (see claim 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Akashi by combining question output and response input for performing guidance for the user.

6. Claims 5-9, are rejected under 35 U.S.C.103(a) as being unpatentable over Akashi (6810327), and JP 2000-193479 (refers as '479) as applied to claim 1 above, and further in view of JP 2002-122435 (refers as '435).

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As per claim 5, Akashi, and ('479) do not disclose temporary destination. However, ('435) discloses when a destination is not specified, the destination specifying section sets, after deriving a current position of the user, a temporary destination based on the area whose name is inputted in the area input section and the current position which is derived by the destination specifying section; and the route selecting section selects a route connecting the current position to the temporary destination which is set by the destination specifying section (see [0008-0011]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Akashi by combining temporary destination for selecting a route for the user travel to a destination.

As per claim 6, Akashi discloses a plurality of representative positions are pre-assigned to the first area whose name is inputted in the area input section, the destination specifying section selects, as a temporary destination, from among the plurality of representative positions a representative position nearest to a current position of the user derived by the destination specifying section (see columns 5-6, lines 24-13; and columns 8-9, lines 31-20).

As per claim 7, ('479) discloses when the route selecting section is able to execute a route selection, the destination specifying section continues to update the temporary destination until the route selecting section is able to execute the route selection (see [0011-0012]).

As per claim 8, Akashi discloses when there is a plurality of representative positions pre-assigned to the first area whose name is inputted in the area input section, the route searching section searches for a route for each of the representative positions which are set in the first area whose name is inputted in the area input section (see column 5, lines 3-23), the first guidance section provides the user with the guidance in accordance with each route found by the route

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searching section (see columns 5-6, lines 24-62), the destination specifying section specifies one of the representative positions, which are set in the first area inputted in the area input section, as a destination of the user, and the route selecting section selects from among the plurality of routes found by the route searching section one route which leads the user to the destination specified by the destination specifying section (see columns 6-7, lines 63-65).

As per claim 9, Akashi discloses the destination specifying section includes: a spot setting section for setting a spot as a spot to output a question, the spot is determined by backing up toward the user as much as a predetermined distance from an end spot of an overlapping portion between the plurality of routes found by the route searching section, as a spot to output a question (see column 5, lines 3-23). Akashi does not disclose question output and response input. However, ('479) discloses a question Output section for outputting to the user a question at the spot set by the spot setting section; and a response input section for the user to input a response to the question outputted by the question output section (see [0005], [0013-0015]), the destination specifying section specifies a destination of the user in accordance with the response inputted in the response input section (see [0011-0012]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Akashi by combining question output and response input for performing guidance for the user.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

. Kondou et al. (6882933)

. Steingruebner et al. (7209884)

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/
Primary Examiner, Art Unit 3664
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